

dc-3046GCE FORM PTO-1390
TRADEMARK OFFICE
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT

ATTORNEY'S DOCKET NUMBER

449122023000

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/088,734

INTERNATIONAL APPLICATION NO.

PCT/DE00/03320

INTERNATIONAL FILING DATE

September 20, 2000

PRIORITY DATE CLAIMED

September 22, 1999

TITLE OF INVENTION

DEVICE AND METHOD FOR SAVING MOTIVE ENERGY IN RAIL VEHICLES

APPLICANT(S) FOR DO/EO/US

Torsten BAIER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ A Supplemental Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items: Translation of International Preliminary Examination Report

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on
July 19, 2002*Doris Leftwich*
Doris Leftwich

| | | | | | |
|--|--|--|--|--|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/088,734 | | INTERNATIONAL APPLICATION NO. PCT/DE00/03320 | | ATTORNEY DOCKET NO. 449122023000 | |
|--|--|--|--|--|--|

| | | | | | |
|---|--|--|--|-------------------------------------|--|
| <p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,040.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$890.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$740.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4)\$710.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00</p> | | | | CALCULATIONS PTO USE ONLY | |
|---|--|--|--|-------------------------------------|--|

| | | | | | |
|--|--------------|--------------|------------|-----------------|------------------|
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 13 - 20 = | 0 | x \$18.00 | \$0 | |
| Independent claims | 4 - 3 = | 1 | x \$84.00 | \$84.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 | \$0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 84.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | | | \$0 | |
| SUBTOTAL = | | | | \$ 84.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | + | \$ 130.00 |
| TOTAL NATIONAL FEE = | | | | \$214.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | \$ |
| TOTAL FEES ENCLOSED = | | | | \$214.00 | |

| | | | | |
|--|-----------|--|--------------|----|
| 07/24/2002 HKAYPAGH 00000086 031952 10088734 | | | Amount to be | \$ |
| 01 FC:154 | 130.00 CH | | refunded: | |
| 02 FC:156 | 130.00 CH | | charged: | \$ |
| 03 FC:964 | 84.00 CH | | | |

a. ☒ Please charge my **Deposit Account No. 03-1952** (referencing Docket No. 449122023000) in the amount of **\$214.00** to cover the above fees. A duplicate copy of this sheet is enclosed.

b. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to **Deposit Account No. 03-1952** (referencing Docket No. 449122023000).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kevin R. Spivak
Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888

SIGNATURE

Kevin R. Spivak
Registration No. 43,148

25227
PATENT TRADEMARK OFFICE

July 19, 2002

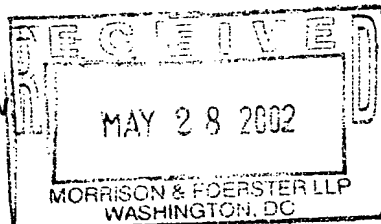


UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

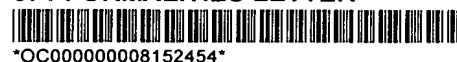
| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/088,734 | Torsten Baier | 449122023000 |

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Morrison & Foerster
2000 Pennsylvania Avenue NW
Washington, DC 20006-1888



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|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/DE00/03320 | |
| I.A. FILING DATE | PRIORITY DATE |
| 09/20/2000 | 09/22/1999 |

CONFIRMATION NO. 4552
371 FORMALITIES LETTER



OC00000008152454

Date Mailed: 05/20/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Copy of iPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements

DOCKETED KSD
Miss. Reg. Due 7/20/02
Final Due Date 12/20/02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN

ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$260** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/088,734 | PCT/DE00/03320 | 449122023000 |